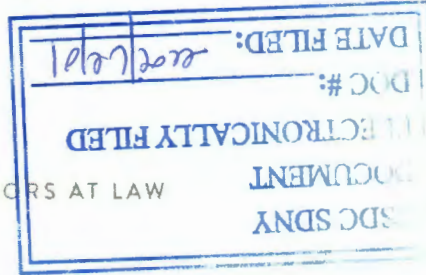


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October 26, 2022

**VIA ECF**

The Honorable Colleen McMahon  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Steen, et al. v. Assurant, Inc.; Case No. 1:22-cv-04571 (CM)

Dear Judge McMahon,

**MEMO ENDORSED**

We represent the Plaintiffs in the above-referenced matter and we write jointly with Defendants in response to the Court's Order dated October 26, 2022.

First, Plaintiffs wish to apologize to the Court for any lack of clarity around the filing of the Second Amended Complaint ("SAC"). Plaintiff filed the SAC with Defendants' written permission, pursuant to Fed. R. Civ. Proc. 15(a)(2). Without waiving any defense or in any way conceding the veracity of any allegations or claims in the SAC, Defendants extended written consent to its filing in an email dated September 29, 2022. For the avoidance of doubt and for the sake of clarity, the remaining Defendant Assurant, Inc., has agreed that the instant letter may serve as further confirmation of its written consent pursuant to 15(a)(2).

Second, the parties respectfully wish to clarify that Plaintiffs' SAC dismissed defendants Joseph Amendola, Ash Bauer, and Brandon Brown in their individual and professional capacities ("Individual Defendants") by deleting them as Defendants. Should the Court desire a more formal dismissal of the Individual Defendants, Plaintiff will promptly file a formal dismissal of the Individual Defendants. Either way, the Parties respectfully seek clarification concerning the Court's October 26, 2022 docket entry setting responsive pleading deadlines for the Individual Defendants to confirm the Individual Defendants are dismissed and need not file responsive pleadings on or before November 14, 2022. The remaining Defendant, Assurant, Inc., will file responsive pleadings on or before November 14, 2022, pursuant to the Court's orders.

The parties further jointly request clarification that the deadlines concerning the currently pending Motions to Dismiss and the Motion to Transfer Venue are stayed. Dkt. Nos. 31-50. Defendant Assurant, Inc. anticipates filing a new Motion to Dismiss and Motion to Transfer based on the

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# WIGDOR LLP

ATTORNEYS AND COUNSELORS AT LAW

The Honorable Colleen McMahon

October 26, 2022

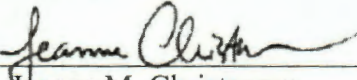
Page 2

allegations in the SAC which will obviate the motions filed in response to Plaintiffs' prior amended complaint.

We thank the Court for its time and attention to these matters,

Respectfully submitted,

WIGDOR LLP



Jeanne M. Christensen

LITTLER MENDELSON, P.C.



Daniel Turner